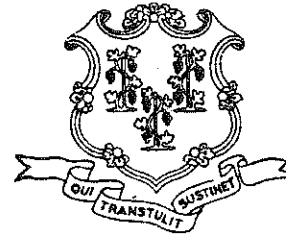
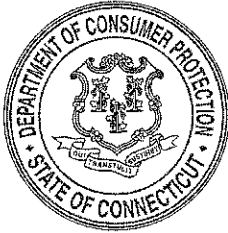


Department of Consumer Protection



Testimony of Jonathan A. Harris Commissioner of Consumer Protection

Public Health Committee Public Hearing, March 11, 2015

HB 6862, "An Act Concerning a Study of the Palliative Use of Marijuana
for Children"

Sen. Gerratana, Rep. Ritter, Sen. Markley, Rep. Srinivasan and honorable members of the Public Health Committee, thank you for the opportunity to submit testimony on HB 6862, "An Act Concerning a Study of the Palliative Use of Marijuana for Children.

This bill would require the Commissioner of Public Health, in consultation with the Commissioner of Consumer Protection to study the question of the palliative use of marijuana by children and to report findings to the Public Health and General Law Committees by January 1, 2016.

As you may know, the Department of Consumer Protection has administered Connecticut's Medical Marijuana program since passage of Public Act 12-55 which

became effective on October 1, 2012. As such, it is appropriate that DCP should be included in any legislative proposal that deals with medical marijuana issues..

Under current law, Sec. 21a-408, a qualified patient for the lawful use of medical marijuana is defined as “a person who is eighteen years of age or older, is a resident of Connecticut and has been diagnosed by a physician as having a debilitating medical condition,” but “does not include an inmate confined in a correctional institution or facility under the supervision of the Department of Correction.”

As Connecticut’s medical marijuana program has grown since passage of the original bill, the Department has become aware of cases in other states where patients under the age of 18 have been reported to experience significant medical benefits from the use of medical marijuana. It is frequently reported that medical marijuana can provide significant relief from some types of seizure disorders including in cases of minor children. It is important to note that there are numerous methods for using medical marijuana in lieu of smoking the plant; including vaporizers, edibles, salves, tinctures and concentrates. All of these forms are currently permissible under Connecticut’s existing laws and regulations.

Consequently, the Department has concluded that doctors should be provided with the option of caring for their child-patients who are suffering from a “debilitating medical condition” with medical marijuana. To that end, the Department has submitted a legislative proposal which includes a provision to authorize this change only if additional restrictions are put in place. Senate Bill 1064, “An Act Concerning the Palliative Use of Marijuana” is presently before the Judiciary Committee and will have a public hearing on

March 14. It allows children under the age of 18 to become “qualified patients” only when these additional protections have been met:

1) The individual has written consent from a custodial parent, guardian or other person having legal custody of the qualifying patient that indicates that the qualifying patient has permission from such parent, guardian or other person for the palliative use of marijuana and that such parent, guardian or other person shall serve as a primary caregiver for the qualifying patient and controls the acquisition and possession of marijuana for palliative use and any related paraphernalia on behalf of the qualifying patient.

2) The minor-patient’s pediatrician and a second physician, who is board certified in an area of medicine involved in the treatment of the debilitating condition for which the qualifying patient was certified, provides a letter to the Department confirming that the palliative use of marijuana is in the minor-patient’s best interest.

The Department will testify in support of Senate Bill 1064 to implement these changes to the medical marijuana program and therefore would respectfully request that this committee not move forward with a study bill at this time. We believe the time is right to authorize doctors to care for their minor-patients using their professional judgment.

Thank you for your consideration of the Department’s position. We stand ready to work with proponents of this legislation as the legislative session progresses.

Please feel free to contact me or DCP’s Legislative Program Manager, Gary Berner if you have any questions or comments.

